

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

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## CIVIL MINUTES - GENERAL

Case No.	CV12-8816 CAS (FFMx)	Date	October 15, 2012
Title	JEANNIE D. PARKER v. NL INC., ET AL.		

Present: The Honorable	CHRISTINA A. SNYDER, U.S. DISTRICT JUDGE
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Catherine M. Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings: (IN CHAMBERS) - PLAINTIFF'S APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION** (filed 10/15/12)

The Court is in receipt of plaintiff's Application for Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction ("TRO"), filed October 15, 2012. The Court is also in receipt of plaintiff's declaration in re: Notice of Ex Parte Hearing ("plaintiff's declaration"), filed October 15, 2012. Plaintiff's declaration indicates that: (1) she e-mailed copies of her complaint and TRO to the service agents for each of the named defendants on October 14, 2012, and (2) she faxed the service agent for the named defendants at 6:00 AM on October 15, 2012 to notify them of her intent to file her complaint and TRO. Plaintiff's declaration ¶¶ 2 – 3. However, this manner of delivery does not comport with Fed. R. Civ. P. 4, and therefore defendants have not been properly served.

Until defendants have been properly served and may appear in the action, the Court has no means to grant relief. Plaintiff may go to the website of the Secretary of State of the State of California to locate the appropriate active agent for service of process for defendants in California. Those individuals must be served personally with the summons and complaint and the TRO.

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In accordance with the foregoing, plaintiff's Application for Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction is denied without prejudice, subject to being renewed with the appropriate showing that proper service of process has been made upon defendants or that issuance of the TRO is proper without notice pursuant to Fed. R. Civ. P. 65(b). Service of the complaint and TRO must be in accordance with Fed. R. Civ. P. 4.

IT IS SO ORDERED.

Initials of Preparer

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CMJ		